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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/835,592  | 04/17/2001  | Kuen-Dong Ha         | P56280              | 8201             |
| 7590 12/11/2003   |             |                      | EXAMINER            |                  |
| Robert E. Bushnell<br>Suite 300<br>1522 K Street, N.W.<br>Washington, DC 20005-1202 |             |                      | HARPER, HOLLY R     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2879                |                  |

DATE MAILED: 12/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

|                        |                               |                           |  |
|------------------------|-------------------------------|---------------------------|--|
| <b>Advisory Action</b> | Application No.<br>09/835,592 | Applicant(s)<br>HA ET AL. |  |
|                        | Examiner<br>Holly R. Harper   | Art Unit<br>2879          |  |

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 12 November 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See attached explanation.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached explanation.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

The Amendment, filed on 11/12/03, has not been entered.

Proposed amendment does not put the case in a condition for allowance or place the application in a better form for appeal.

### ***Response to Arguments***

1. Applicant's arguments filed 11/12/2003 have been fully considered but they are not persuasive.

Regarding applicants claim that Gorog does not disclose a rectangular rim on the mask frame with a flange vertically extending from a rear end of the rectangular rim towards the tube axis, the examiner respectfully disagrees. The Gorog reference does not have reference numbers specifically pointing to these elements, but they are clear from the drawings. Figures 1 and 5 both show a shadow mask frame with a rectangular rim and flange (Figure 1, Element 38). Figure 5 shows both the rectangular rim and the flange as element 40. The bracket is attached to the outside surface of the rectangular rim. Therefore, the surface of element 40 that does not have the bracket attached to it is the peripheral flange.

Regarding applicants claim that Gorog does not disclose a shadow mask with a skirt, the examiner respectfully disagrees. The Gorog reference does not have reference numbers specifically pointing to these elements, but they are clear from the drawings. Figure 1 clearly shows the shadow mask with a skirt portion. The skirt portion is used to attach the shadow mask

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to the mask frame. In reference to figure 5, the third plane passes through the stud and the second plane passes through the connecting arm. The skirt of the shadow mask is attached to the frame and is therefore, closer to the third plane than the second plane.

Regarding applicants claim that Yun does not disclose a figure 9, the examiner respectfully disagrees. On page 10 of the document, there are two figures. The first figure is labeled as figure 8, the second figure on the page is not labeled but was assumed to be figure 9.

Regarding applicants claim that the rejection of claim 21 does not meet the claimed limitations, the examiner respectfully agrees. However, a rejection was made saying that the placement of the connecting arm in relation to the flange does not provide any unexpected beneficial results not within the scope of Gorog's bracket assembly. It is well known in the art to make slight changes in mechanical design of a component.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Holly Harper whose telephone number is (703) 305-7908. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (703) 305-4794. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7382.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Holly Harper  
Patent Examiner  
Art Unit 2879



ASHOK PATEL  
PRIMARY EXAMINER